

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : SECOND JUDICIAL DEPARTMENT**

9562Z
C/hu

_____ AD2d _____

GUY JAMES MANGANO, P.J.
LAWRENCE J. BRACKEN
ALBERT M. ROSENBLATT
SONDRA MILLER
CORNELIUS J. O'BRIEN, JJ.

97-05257

In the Matter of John Kennedy O'Hara,
an attorney and counselor-at-law.

OPINION & ORDER

Grievance Committee for the Second and
Eleventh Judicial Districts, petitioner;
John Kennedy O'Hara, respondent.

Motion by the Grievance Committee for the Second and Eleventh Judicial Districts to strike the respondent's name from the roll of attorneys and counselors-at-law, pursuant to Judiciary Law § 90(4), on the ground that he has been convicted of a felony. The respondent was admitted to the Bar on March 27, 1991, at a term of the Appellate Division of the Supreme Court in the Second Judicial Department.

Robert H. Straus, Brooklyn, N.Y. (Diana Maxfield Kearse of counsel), for petitioner.

Hoffinger, Friedland, Dobrish, Bernfeld & Stern, P.C. (Jack S. Hoffinger of counsel), for respondent.

PER CURIAM.

On May 13, 1997, the respondent was convicted, after a trial in the Supreme Court, Kings County, before the Honorable Priscilla Hall, of offering a false instrument for filing in the first degree, a class E felony, in violation of Penal Law § 175.35; false registration, a class E felony, in violation of Election Law § 17-104; and five counts of illegal voting in violation of Election Law § 17-132(3).

Pursuant to Judiciary Law § 90(4), the respondent ceased to be an attorney and counselor-at-law upon his conviction of a felony.

Accordingly, the respondent is disbarred and his name is stricken from the roll of attorneys and counselors-at-law effective immediately.

MANGANO, P.J., BRACKEN, ROSENBLATT, MILLER and O'BRIEN, JJ., concur.

ORDERED that pursuant to Judiciary Law § 90, effective immediately, the respondent, John Kennedy O'Hara, is disbarred and his name is stricken from the roll of attorneys and counselors-at-law; and it is further,

ORDERED that the respondent shall comply with this court's rules governing the conduct of disbarred, suspended, and resigned attorneys (22 NYCRR 691.10); and it is further,

ORDERED that pursuant to Judiciary Law § 90, effective immediately, John Kennedy O'Hara, is commanded to desist and refrain from (1) practicing law in any form, either as principal or as agent, clerk, or employee of another, (2) appearing as an attorney or counselor-at-law before any court, Judge, Justice, board, commission, or other public authority, (3) giving to another an opinion as to the law or its application or any advice in relation thereto, and (4) holding himself out in any way as an attorney and counselor-at-law.

MANGANO, P.J., BRACKEN, ROSENBLATT, MILLER and O'BRIEN, JJ., concur.

SUPREME COURT, STATE OF NEW YORK
APPELLATE DIVISION SECOND DEPT

ENTER:

I, MARTIN H. BROWNSTEIN, Clerk of the Appellate Division of the Supreme Court, Second Judicial Department, do hereby certify that I have compared this copy with the original filed in my office on NOV 10 1997 and that this copy is a correct transcription of said original.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of this Court on NOV 10 1997

MARTIN H. BROWNSTEIN

Martin H. Brownstein
Clerk

November 10, 1997

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